

### **REMARKS**

This Amendment is filed in response to the Office Action mailed May 8, 2007. All objections and rejections are respectfully traversed.

Claims 1-17 are pending in the case.

Claims 1, 15-17 have been amended to correct typographical errors.

New claims 18-20 have been added.

#### ***Claim Objections***

At paragraph 1 of the Office Action, claims 15-18 were objected to due to a claim numbering informality. The Applicant thanks the examiner for renumbering the claims to address this issue. The Applicant has changed the dependencies in claims 15-18 to reflect this renumbering.

#### ***Claim Rejections - 35 U.S.C. §102***

At paragraphs 2-3 of the Office Action, claims 1-4 and 7-15 were rejected under 35 U.S.C. §102(e) over Huang, U.S. Patent Publication No. 2002/0046271 (hereinafter Huang).

The Applicant's claim 1, representative in part of the other rejected claims, sets forth:

1. In a plurality of intermediate network devices having a plurality of ports for forwarding network messages within a bridged network having a root, the plurality of intermediate network devices organized as a stack, each intermediate network device having a stack port for use in communicating with the other network devices of the stack, a method for efficiently transitioning the ports among a plurality of spanning tree protocol (STP) states, the method comprising the steps of:

executing the STP at each intermediate network device of the stack so as to ***assign the stack port of each device to either a Root Port Role or a Designated Port Role***, and to assign a non-stack port at a single device of the stack to the Root Port Role;

transitioning the ports assigned to the Root Port Role and the Designated Port Role to a forwarding STP state;

*designating all non-stack ports at the devices of the stack that provide connectivity to the root, other than the non-stack port assigned to the Root Port Role, as Alternate Stack Root Ports;*

transitioning the Alternate Stack Root Ports to a discarding STP state; and

in response to a failure at the non-stack port assigned to the Root Port Role, *transitioning a selected one of the Alternate Stack Root Ports from the discarding STP state directly to the forwarding STP state.*

Huang discloses an architecture for configuring a number of switching nodes into a stack. *See abstract.* The switching nodes include stack ports and non-stack ports. “A switching node uses [a] stack tree to determine the STP state of each stack port.” *See paragraph 0061.* Non-stack ports may be assigned to be root ports, designated ports, or simply blocked. *See paragraph 0095.* A transition process is undertaken to transition non-stack ports among STP states, the process involving the exchange of BPDUs. *See paragraphs 0107-0108.*

The Applicant respectfully urges that Huang is silent concerning the Applicant’s claimed assigning “*the stack port of each device to either a Root Port Role or a Designated Port Role*” and “*designating all non-stack ports at the devices of the stack that provide connectivity to the root, other than the non-stack port assigned to the Root Port Role, as Alternate Stack Root Ports*” and “*transitioning a selected one of the Alternate Stack Root Ports from the discarding STP state directly to the forwarding STP state.*”

First, while the Applicant claims assigning *the stack port of each device to either a Root Port Role or a Designated Port Role*, Huang makes no mention of assigning stack ports to either root port or designate port role. Huang simply discusses root port role and designate port role in relation to non-stack ports. *See paragraph 0095* (describing root port and designated port assignments are made to a non-stack port). Accordingly, the Applicant respectfully urges that Huang does not teach or suggest this aspect of the claims.

Second, while the Applicant claims *designating all non-stack ports at the devices of the stack that provide connectivity to the root... as Alternate Stack Root Ports,*

Huang does not teach or suggest a special Alternate Stack Root Port designation. Lacking such a designation, in Huang's system, ports that may potentially may serve as a stack root port need to undergo a lengthy conventional transition process to assume root port role. Thus, Huang also does not suggest *transitioning a selected one of the Alternate Stack Root Ports from the discarding STP state directly to the forwarding STP state*.

Further, the Applicant notes that the Office Action points to paragraph 0117 of Huang as allegedly suggesting the Applicants claimed Alternate Stack Root Port designation. However, paragraph 0117 simply describes GARP VLAN Registration Protocol (GVRP). GVRP is a networking protocol for propagating VLAN configuration information in a network and has little relation to port roles used with spanning trees. Accordingly, the Applicant respectfully requests reconsideration of this rejection.

In summary, the Applicant respectfully urges that Huang is legally insufficient to anticipate the present claims under 35 U.S.C. §102 because of the absence of the Applicant's claimed novel *"the stack port of each device to either a Root Port Role or a Designated Port Role"* and *"designating all non-stack ports at the devices of the stack that provide connectivity to the root, other than the non-stack port assigned to the Root Port Role, as Alternate Stack Root Ports"* and *"transitioning a selected one of the Alternate Stack Root Ports from the discarding STP state directly to the forwarding STP state."*

#### *Claim Rejections - 35 U.S.C. §103*

At paragraphs 13-15 of the Office Action, claims 5, 6, 16 and 17 were rejected under 35 U.S.C. §103(a) over Huang in view of "Admitted Prior Art."

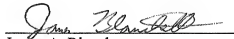
The Applicant notes that claims 5, 6, 16, and 17 are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above. Accordingly, claims 5, 6, 16, and 17 are believed to be allowable at least due to such dependency, as well as for other independent reasons.

Should the Examiner believe telephonic contact would be helpful in the disposition of this Application, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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